

Exhibit 4

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEBRA CALDWELL-BUSH,)

Plaintiff,)

v.)

GLOBE HOME WARRANTY and)
RUBY WRIGHT, et al,)

Defendants.)

Civil Action No.: 2:06cv475-DRB

AFFIDAVIT OF STEVEN K. HERNDON

Before me, the undersigned authority, personally appeared Steven K. Herndon, to me known, and first being duly sworn on oath, deposed and said:

My name is Steven K. Herndon, and I submit this affidavit based upon my own personal knowledge regarding my investigation taken after our firm was retained to represent Globe Home Warranty Company in the above referenced matter.

After reviewing the complaint, I contacted real estate agent Belissia Haynes regarding Ms. Caldwell's purchase of the property referred to in her complaint and the home warranty obtained at the time of closing. In inquiring about seller (and listed co-defendant) Ruby Wright, Ms. Haynes told me that Ms. Wright moved to Georgia after selling her home. Ms. Haynes called Ms. Wright at a Georgia telephone number, and Ms. Wright told me and Ms. Haynes that she had lived in Georgia since February 2005, that she works in Georgia, and that she now owns a home in Georgia. Ms. Wright further said that she met Ms. Caldwell at the closing and that she did not tell Ms. Caldwell anything about the warranty.

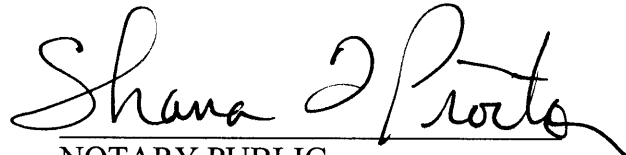
I have communicated with both Ms. Haynes and Ms. Wright by telephone and by facsimile in an effort to present submissions to the Court but have not been able to obtain the same as of today.

Respectfully submitted,


Steven K. Herndon

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SWORN TO AND SUBSCRIBED BEFORE ME this the 25th day of
May, 2006.

A handwritten signature in black ink, reading "Shana T. Proctor". The signature is fluid and cursive, with the first name "Shana" and last name "Proctor" clearly distinguishable. The signature is written over a horizontal line.

NOTARY PUBLIC
My Commission Expires

Shana T. Proctor
Notary Public, AL State at Large
My commission expires 07/16/06.